

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 2-8 and 10-13 are presently active in this case.

In the outstanding Office Action, Claims 1-8 and 10-13 were finally rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,310,956 to Morito et al. in view of U.S. Patent No. 4,965,680 to Endoh. Applicants respectfully traverse.

The present invention is directed to an information processing method wherein the duplication of content is prohibited when an interval of time between the current time and the time of a prior duplication of the content specified by temporal data stored in a database is less than a predetermined amount of time.

Morito et al. disclose that recording of digital data is prevented if the time difference between the transmission time, which is embedded in the digital data, and current time is greater than a threshold value. However, Morito et al. do not disclose prohibiting the duplication of the content when a predetermined amount of time has not passed since the same content was duplicated. Moreover, unlike in Morito et al., in the present invention the temporal data is not embedded into the content, but rather is stored in a database.

The official action asserts on page 2 that:

Applicant's argument regarding prohibition of already duplicated data *regardless* of passage of time is well known in the art and described in the background of the cited reference. The examiner refers applicant to Morito's description of copy-once signals and various well-known methods of copy prevention (see columns 1 and 2, background of the invention).¹

Applicants respectfully submit that the official action has mischaracterized the invention in this passage when the official action asserts that the prohibition of recording is determined

¹ Italics added for emphasis.

“regardless” of the passage of time. Applicants point out that the wherein clause of claim 1 requires that:

the duplication of the content is prohibited when an interval of time between the current time and the time of duplication of said content in the past specified by the temporal data stored in the database is less than predetermined amount of time.

Hence, the prohibition feature of the present invention clearly is a function of time.

Morito et al. merely disclose in the background of their patent that copy control signals can take one of four possible values: (1) copy-free, (2) never-copy, (3) copy-once, and (4) no-more-copy. However, none of the copy control signals are time dependent. Copy-once, as its name suggests, is dependent on whether the content has been previously copied once. Copy-once is not time dependent. In contradistinction thereto, the present invention provides that after content has been copied, prohibition of further copying is dependent on the duration of time since the prior copying occurred.

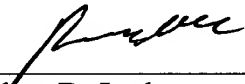
Endoh is not believed to address the deficiencies of Morito et al. That is, Endoh does not disclose or suggest the prohibition feature of the present invention or that temporal data governing the prohibition is stored in a database. Therefore, Morito et al. are not believed to anticipate or render obvious the subject matter defined by the present claims when considered alone or in combination with Endoh.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for allowance. An early and favorable action is therefore respectfully requested.

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Respectfully submitted,

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